

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS**

CASE NO.: 4:20-CV-144

CRAIG CUNNINGHAM, an individual

Plaintiff,

v.

BRITEREAL MANAGEMENT INC,
a California corporation; and **ANNA YEH**,
an individual,

Defendants.

_____/

BRITEREAL MANAGEMENT INC,
a California corporation; and **ANNA YEH**,
an individual,

Counter-Plaintiffs,

v.

CRAIG CUNNINGHAM, an individual

Counter-Defendant.

_____/

RESPONSE TO MOTION TO DISMISS (Dkt 39)

Defendants / Counter-Plaintiffs, BRITEREAL MANAGEMENT INC and ANNA YEH (“Defendants”), by and through undersigned counsel, and pursuant to the Court’s Order (Dkt 41) requesting Response to Plaintiff / Counter-Defendant, CRAIG CUNNINGHAM’s (“Plaintiff”), Motion to Dismiss (Dkt 39)(the “Motion”), state:

Defendants do **not oppose** Plaintiff’s Motion and request that, *should the Court dismiss Plaintiff’s claims without prejudice pursuant to his voluntary Motion to Dismiss (Dkt 39)*, the Court should dismiss the Defendants’ counterclaims for jurisdictional reasons, or without prejudice pursuant to Rule 41(a)-(c), and closed this case.

Dated: September 1, 2021,

Respectfully submitted,

REINER & REINER, P.A.

Counsel for Britereal Defendants Counter-Plaintiffs

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on September 1, 2021, the foregoing document was filed and served this day on all counsel and pro se parties either via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive electronically Notices of Electronic Filing.

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Via US Mail & Email

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